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General and complete disarmament: observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Report of the Secretary-General

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I. Introduction

On 4 December 1998, the General Assembly adopted resolution 53/77 J, entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control", paragraph 5 of which reads as follows:

> "*Invites* all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the present resolution, and requests the Secretary-General to submit a report containing this information to the General Assembly at its fifty-fourth session".

II. Replies received from Governments

Cuba

[Original: Spanish]
[27 May 1999]

The international community has become increasingly cognizant of the imperative need to take steps to protect the environment. In Cuba's view, it is important, in adopting measures of this type, also to draft and implement agreements on disarmament and arms control.

It is essential to underscore the need to observe environmental norms in the preparation and implementation of disarmament and arms limitation agreements, and to recognize that in so doing due account must be taken of the agreements adopted at the United Nations Conference on Environment and Development, held in Rio de Janeiro from 3 to 14 June 1992, as well as of prior relevant agreements.

It has been a great satisfaction to see how the people of the world have achieved admirable results in disarmament and arms control in their determination not to allow the use of weapons of mass destruction to threaten the protection of the environment.

Nevertheless, despite the advances made in the prohibition of two categories of weapons of mass destruction, nuclear weapons still remain a threat to the very existence of the human species and the protection and preservation of the environment.

This has been another of the reasons impelling Cuba to join with other States in proposing that the Conference on Disarmament should give priority to establishing a special committee on nuclear disarmament that would start negotiations on a phased programme of nuclear disarmament aimed at the final elimination of nuclear weapons by a specific date, through the adoption of a nuclear weapons convention.

Cuba also recognizes that the prevention of a nuclear arms race on the seabed and the ocean floor and their subsoil is a factor in maintaining peace and protecting the environment. A clear indication of this is the fact that Cuba is a party to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof.

Cuba is aware of the possible dangers attendant upon any use of radioactive waste, which would be tantamount to radiological war, and of the effects of such use on national, regional and international security, and especially the security of the developing countries; and also of the inherent threat to the preservation of the environment.

Cuba considers that any environmental protection measures adopted at the time of the preparation and implementation of disarmament and arms control agreements must involve unilateral, bilateral, regional and multilateral approaches.

Accordingly, in connection with one instance of multilateral action, it is important to emphasize that environmental protection requirements must be borne in mind during the negotiations being conducted by an Ad Hoc Group of Governmental Experts in Geneva to strengthen the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction by adopting appropriate measures, including possible verification measures.

Cuba is proud to be a party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, which contains, *inter alia*, provisions on the security of persons and the protection of the environment.

The strengthening of scientific and technological cooperation among States is also basic to the effort to achieve the objectives of General Assembly resolution 53/77 J.

In Cuba's view, the international transfer of the relevant technology, services and practical know-how for peaceful purposes can foster the observance of the environmental norms included in disarmament and arms control agreements.

Lastly, as an example of the domestic action being taken by the Republic of Cuba to promote the objectives of General Assembly resolution 53/77 J, at the present time there is a broad spectrum of Cuban institutions dealing directly with the subjects of bacteriological and toxin weapons and chemical weapons and systematically analysing the reports emerging from the negotiations on those issues taking place in Geneva and The Hague, respectively.

Saudi Arabia

[Original: Arabic]
[28 April 1999]

The Kingdom of Saudi Arabia asserts that it possesses no weapons of mass destruction, in general, and, in particular, no nuclear weapons. It further asserts that it is mindful of the harmful environmental impact of weapons of mass destruction and that it has constantly urged that the environment should be protected, that it should not be damaged and that its effective contribution to the achievement of sustainable development should not be impaired.

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General Assembly

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Fifty-fourth session
Item 165 of the provisional agenda*
Human resources management

Hiring and use of consultants in the Secretariat

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 53/221 of 7 April 1999, by which the Secretary-General was requested to submit a report on the implementation of recommendations by the Board of Auditors on the hiring and use of consultants.

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I. Background

1. The General Assembly, in section VIII, paragraph 3, of its resolution 53/221 of 7 April 1999, reiterated its request that the recommendations of the Board of Auditors, as endorsed in Assembly resolutions 51/226 of 25 April 1997 and 53/204 of 18 December 1998, be fully implemented, and requested the Secretary-General to submit a report through the Board to the Assembly at the main part of its fifty-fourth session. In paragraph 2 of the resolution, the Assembly noted with concern the observation of the Board of Auditors that the inadequacies earlier identified by the Board in the hiring of the consultants persisted.[1]

2. The Board of Auditors, in its financial report and audited financial statement for the biennium ended 31 December 1995 and report of the Board of Auditors, made five recommendations concerning the use of consultants in the United Nations organizations:[2]

(a) First, that the terms of reference of consultants should be prepared more precisely, including objectives, targets and output delivery dates. Necessary guidelines should be issued to all requesting organizations and departments;

(b) Second, to ensure selection of consultants on a more competitive basis, all proposals for consideration of a sole candidate for recruitment should be actively discouraged. Appropriate norms should be established for selection of consultants from a wider geographical base;

(c) Third, requisitioning units should be required to plan their project and programme personnel requirements in advance and provide adequate lead time to the various personnel services within the Organization so that proper recruitment action can be taken in compliance with the established rules;

(d) Fourth, recruitment officers in the Department of Development Support and Management Services (now the Department of Economic and Social Affairs), should be given improved access to comparative information on consultants' fees. The basis for fixing the remuneration of consultants should be recorded;

(e) Fifth, the assessment form on consultants should be reviewed to make it more detailed and to indicate more clearly the quality of the consultant's work and consultant's ability to undertake future assignments.

3. Subsequently, in its financial report and audited financial statements for the biennium ended 31 December 1997, the Board noted that the inadequacies previously identified in the process of hiring of consultants still persisted.[1] The Board recommended that the Administration ensure full compliance with the established instructions on engagement of consultants.

4. At its fifty-third session, the General Assembly had before it a note by the Secretary-General transmitting the concise summary of principal findings, conclusions and recommendations contained in the reports of the audit of accounts for the financial period ended 31 December 1997, prepared by the Board of Auditors (A/53/217). Paragraph 41 of that report dealt with consultants.

5. Also at its fifty-third session, the General Assembly had before it the report of the Secretary-General on comprehensive guidelines for the use of consultants in the Secretariat (A/53/385). That report was submitted pursuant to General Assembly resolution 51/226 of 3 April 1997 and decision 52/475 of 31 March 1998, by which the Secretary-General was requested to prepare comprehensive policy guidelines on the terms of reference, selection, hiring and renewal of consultants.

6. The General Assembly, in section VIII, paragraph 11, of resolution 53/221, took note of the guidelines, subject to five provisions. In paragraph 12 of the same resolution, the General Assembly requested the Secretary-General to circulate the revised guidelines as a matter of priority, throughout the Secretariat, with a view to ensuring full compliance. The guidelines, which will be promulgated in an administrative instruction, were circulated on 9 April 1999 to all departments and offices away from Headquarters.

II. Implementation of the recommendations of the Board of Auditors

A. Defining the requirement

7. The Board recommended that the Administration issue detailed guidelines to all substantive departments and requesting organizations on the need to prepare terms of reference in a more precise and output-related manner and to include objectives, targets and delivery dates, and that the terms of reference should form part of the contract.[3] The Administration has issued comprehensive guidelines for the use of consultants in the Secretariat as contained in the annex to document A/53/385 and supplemented by the General Assembly. Paragraph 6 of the guidelines sets out the general principles which govern the use of consultants. In accordance with section VIII, paragraph 11 (b), of resolution

53/221, the terms of reference form part of the consultant contract.

8. In response to the recommendation of the Board, detailed guidelines regarding the terms of reference are included in paragraphs 7 to 9 of the guidelines, which stipulate that heads of departments and offices concerned are responsible for the preparation of detailed terms of reference for the engagement of consultants and for timely submission of requests. The terms of reference include specific objectives and targets, tangible and measurable outputs, delivery dates and method of delivery. Paragraph 5 of the guidelines stipulates that, as specified by the General Assembly, there is a clear separation of functions between the requesting officer (programme manager) and the office responsible for the process of engaging the consultant (Executive Office or Administrative Office at offices away from Headquarters).

B. Identification of candidates

9. In paragraph 166 of its 1996 report,[4] the Board recommended that the personnel services challenge more rigorously all proposals for consideration of a sole candidate for recruitment. The Administration agreed that consultants should be selected on a competitive basis, and proposed taking appropriate action in that regard.

10. In accordance with paragraph 6 (c) of the guidelines, consultants must be selected from among highly qualified candidates in their specific field of expertise, on the basis of a reasoned and documented process. As a general principle, paragraph 11 of the guidelines stipulates that, to ensure selection on a more competitive basis, departments and offices are required to consider several qualified candidates for each assignment. In exceptional cases, a single candidate may be engaged, but in such cases a reasoned and documented justification should be recorded before the selection of the candidate. The guidelines are designed to ensure selection on a more competitive basis, with the purpose of ensuring that all suitable candidates are considered.

C. Maintenance of rosters

11. In paragraph 172 of its 1996 report,[4] the Board recommended that updated central rosters be re-established at Headquarters, in the Department of Economic and Social Affairs, at the United Nations Offices at Geneva and Vienna, and in the Economic and Social Commission for Western Asia. Those rosters should be combined with local rosters developed by substantive departments and requesting organizations to select the most qualified and best available candidate.

12. At the present time, in the Department of Economic and Social Affairs, at United Nations Headquarters, United Nations Offices at Geneva and Vienna and the regional commissions, substantive departments/offices maintain specialized rosters tailored to the needs of the programmes for which they are responsible. Consultants in a specific occupation rostered in one location should be made available to all departments/offices that have projects that draw on that occupation. There is little cross-occupational use of consultants. The current Paradox database on consultants will be expanded to allow for worldwide exchange of information on the use of consultants by occupation so as to enable candidates to be identified on a broader basis. It is anticipated that the database will be developed as part of Release V of the Integrated Management Information System (IMIS) in late 1999, with the integration of data from the offices away from Headquarters.

D. Selection of consultants from a wider geographical base

13. In paragraph 175 of its 1996 report,[4] the Board recommended that the objective of attracting consultants on a wider geographical basis should be achieved by fixing appropriate norms and by closer interaction with substantive offices and requesting units at all duty stations.

14. In section VIII, paragraph 10, of resolution 53/221, the General Assembly reaffirmed the principle that the objective of attracting consultants on a wider geographical basis should be achieved, *inter alia*, by fixing appropriate norms and by closer interaction with substantive offices and requesting units at all duty stations. Paragraph 11 (c) stipulated that the selection of consultants and individual contractors should be on a wider geographical basis and that the question of travel expenses should not distort the geographical balance in the award of contracts. Paragraph 11 (d) further stipulated that, in the award of contracts, gender balance should be achieved without prejudice to wide geographical distribution.

15. In accordance with paragraphs 6 (g) and 14 of the guidelines, the United Nations aims to select consultants on the widest possible geographical basis. Departments/offices have been apprised of the need to ensure that this guideline is met. At the same time, the primary consideration in the

engagement of consultants is to gain access to the expertise best suited to the needs of the programme/project concerned, within the budgetary limits established by the General Assembly in the programme budget. Programme managers are responsible for ensuring that due regard is given to achieving the widest possible geographical basis for the engagement of consultants. With regard to norms, it is not feasible to apply the same approach to consultants as that used in respect of the system of desirable ranges for the geographical distribution of staff in determining the representation status of Member States in the staff of the Secretariat. However, every effort will be made to limit the number of consultants engaged from any one Member State within a department/office, or within an occupational group.

E. Lead time for the selection of consultants

16. In paragraph 181 of its 1996 report,[4] the Board considered that more detailed planning by requesting departments and organizations would result in substantial improvement in the quality and transparency of the selection of consultants. The Administration should therefore require requisitioning units to give adequate lead time for recruitment action to the various personnel services within the Organization. The Administration agreed to remind all regional economic commissions and the Department of Economic and Social Affairs to improve planning, as well as procedures for timely approval of special service agreements.

17. Paragraph 7 of the guidelines makes heads of departments and offices responsible for the timely submission of requests. Paragraph 12 of the guidelines requires that, prior to the issuance of the contract, the processing office verify the academic and professional credential of the candidates. Requisitioning units are expected to submit contract proposals sufficiently in advance to complete verification requirements.

F. Level of remuneration

18. In paragraphs 184 and 185 of its 1996 report,[4] the Board recommended that recruitment officers in the Department of Economic and Social Affairs be given improved access to comparative information on consultants' fees. The basis for fixing the remuneration of consultants should be recorded. The Department agreed on the need to develop improved information on consultants' fees through regular analysis of its own statistics and access to comparative data from other organizations.

19. In accordance with paragraphs 24 to 29 of the guidelines, consultants engaged under a consultant contract may be paid on a daily, weekly or monthly rate or lump sum basis. The guidelines provide a formula to determine rates for consultants. The rates are broadly based on: (a) the level of gross salary, i.e., excluding post adjustment for staff in the Professional and higher categories; (b) levels of expertise and professional capacity linked to grades in the salary scale; and (c) special circumstances, including hardship involved in the performance of the work assignment. The Department of Economic and Social Affairs has confirmed that the schedule of remuneration established by the Compensation Service of the Office of Human Resources Management is being applied.

G. Managing the consultants

20. In paragraph 186 of its 1996 report,[4] the Board recommended that, whenever possible, arrangements should be made for monitoring the work of consultants as part of the contractual terms of reference. Additionally, guidelines should be established by requesting units to help project managers brief consultants prior to the assignment. The guidelines should also cover reporting in stages to ensure that work is on track and should give clear instructions on how the consultants should submit the final report or product. The Administration stated that steps would be taken to establish guidelines for briefing consultants before signing contracts and, wherever possible, making the final payment output-related.

21. Paragraph 29 of the guidelines stipulates that no payment of fees should be made if the consultant fails to complete the service specified on the contract to the satisfaction of the United Nations. In the event that the service is carried out partially, a determination would be made as to what amount, if any, would be payable, based on that part of the work completed. The Department of Economic and Social Affairs has confirmed that there is in place a system of monitoring for the work of consultants and ensuring that the final product is completed satisfactorily before a payment is made. The project manager is required to submit to the Executive Office a signed document stating that the assignment has been completed satisfactorily. In most instances, the final product of the consultant is attached to the statement before payments are made. Project managers also monitor the progress of work of the consultant on a stage-by-stage basis.

H. Evaluation of the performance of the consultant

22. In paragraph 189 of its 1996 report,[4] the Board recommended that evaluation forms be reviewed to reveal more clearly the completion of the work to acceptable standards and the ability of the consultant to undertake future assignments. There should also be a system by which the central rosters of consultants are updated with details of their performance reflected in the evaluation reports.

23. In accordance with paragraph 31 of the guidelines, the performance of all consultants is evaluated, and a summary rating recorded, as reference for consideration of future consultant contracts. A detailed evaluation form, which will be introduced in mid-1999, measures the quality of work performed and takes into account the goals established in the terms of reference as well as compliance with delivery dates. A targeted and detailed response with respect to the quality of performance and the results is required from the evaluating officer. If goals have not been met satisfactorily, no further contracts would be granted to the consultants. The integration of evaluations into central occupational rosters for worldwide use will be developed as part of Release V of IMIS, with the integration of data from the offices away from Headquarters.

III. Conclusion

24. With the issuance of the comprehensive guidelines for the use of consultants and related actions regarding the establishment of a roster and arrangements for reporting to the General Assembly, the issues raised by the Board of Auditors have been addressed. The development of IMIS to accommodate enhanced data and roster facilities will enable improved monitoring of the implementation of the comprehensive guidelines for the use of consultants, as well as continued regular reporting to the Assembly.

Notes

[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 5* (A/53/5), vol. I, chap. II, paras. 122 and 123.

[2] Ibid., *Fifty-first Session, Supplement No. 5* (A/51/5) vol. I, chap. II, paras. 10 (k) and 155–189.

[3] Ibid., para. 160.

[4] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 5* (A/51/5), vol. I.